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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.								
10/760,344	01/21/2004	Tzong-Feng Chen	66307-007	9779								
65358 WPAT, PC INTELLECTUAL PROPERTY ATTORNEYS 7225 BEVERLY ST. ANNANDALE, VA 22003	7590 01/06/2010		<div>EXAMINER</div> <div>NGUYEN, DUSTIN</div> <table border="1"><thead><tr><th>ART UNIT</th><th>PAPER NUMBER</th></tr></thead><tbody><tr><td colspan="2">2454</td></tr></tbody></table> <table border="1"><thead><tr><th>MAIL DATE</th><th>DELIVERY MODE</th></tr></thead><tbody><tr><td>01/06/2010</td><td>PAPER</td></tr></tbody></table>		ART UNIT	PAPER NUMBER	2454		MAIL DATE	DELIVERY MODE	01/06/2010	PAPER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte*: TZONG-FENG CHEN

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Application No. 10/760,344  
Technology Center: 2400

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Mailed: January 6, 2010

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Before GLORIA HENDERSON, *Review Team Paralegal*  
HENDERSON, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on January 4, 2010. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter(s) requiring attention prior to docketing are identified below.

REPLY BRIEF NOTED

On November 17, 2009, applicant filed a timely Reply Brief. In accordance with the revision effective September 13, 2004, Title 37, Code of Federal Regulations, §41.43 states:

(a)(1)... the primary examiner must acknowledge receipt and entry of the reply brief. In addition, the primary examiner may withdraw the final rejection and reopen prosecution or may furnish a supplemental examiner's answer responding to any new issue raised in the reply brief.

CONCLUSION

Accordingly,  
it is ORDERED that the application is being electronically returned to the Examiner:

- 1) for consideration and proper response to the Reply Brief filed November 17, 2009; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

/GJH/

Application No. 10/760,344

WPAT, PC  
INTELLETUAL PROPERTY ATTORNEYS  
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